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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,913	02/25/2004	Bruce M. Coughlin	2003P02864 US01	5382

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Siemens Corporation
Intellectual Property Department
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EXAMINER

PHAM, MICHAEL

ART UNIT PAPER NUMBER

2167

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/786,913

Applicant(s)

COUGHLIN ET AL.

Examiner

Michael D. Pham

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) 4-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Detailed Action

Priority

1. The application claims priority to U.S. Provisional Application 60/450011 filed February 26, 2003. Accordingly, the application has been examined with an effective filing date of February 26, 2003.
2. Applicant's election without traverse of claims 1-3 in the reply filed on 9/21/06 is acknowledged. Claims 1-3 are pending in this office action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2002/0123983 by Riley et. al. (hereafter Riley) further in view of U.S. Patent Application Publication 2003/0088456 by Ernest et. al. (hereafter Ernest).

Claim 1:

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As to claim 1, Riley is directed to “a method of reporting data related to an event” [Riley, abstract] comprising the steps of:

“Matching data elements from multiple systems, wherein each of said multiple systems has a unique identifier” [Figure 2 elements 23,25,27,29, and others (multiple systems).

Paragraph 0105, All service requests (data elements) should be assigned a unique identification number or ticket ID (unique identifier).];

“Categorizing said matching data elements” [paragraph 0113, categorizing service requests]

“that contain information to be used to monitor and measure provided integrated services” [Paragraphs 0116, 0122, and 0172. In 0122, Figure 8, is a chart listing examples of impact of an affected process. The numbers on the chart are numerals from 1 to 5 reflecting the severity of the impact. Impact is a measure of how an incident affects the organization and user group (i.e. measure how integrating the service would impact the incident). In 0116, classifying the request against all other requests made by the service desk customers and determines the speed in which the service request should be handled. In 0172, statistics and variables tracked (i.e. monitor) may be analyzed in regard to their relation to agreed upon levels of service.]

“Generating a report” [paragraph 0172, service desk may generate reports.]

However Riley does not explicitly disclose “to create standard tables”. On the other hand, Ernst discloses on Figure 2 (standard tables), a valuation of the components of the system on a per service basis. Paragraphs 0089-0090, The table in figure 2 determines a business value (measure) and identifies each transaction of each service in which the respective component

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participates (monitors). Business values are used to construct table similar to that of figure 2.

Ernst further discloses 0094, that A64 accumulates the data from the agents and creates the tables of figures 2 and 4 various reports regarding the value of each component in the delivery of each service, and the value of the component to the business enterprise as a whole based on multi service applicability (generating report off table).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Riley to have included the step to “create standard tables” and “generating a report based on standard tables” based on the disclosure of Ernst. Both Riley and Ernst are directed to systems attempting to reduce the cost of IT resources. One of ordinary skill in the art at the time the invention was made would have been motivated to include “create standard tables” and “generating a report based on standard tables” for the purpose of providing a better tactical and business decisions [Ernst, 0094]. Thereby providing management with an improved means of lowering cost of IT resources.

5. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2002/0123983 by Riley et. al. (hereafter Riley) further in view of U.S. Patent Application Publication 2003/0088456 by Ernest et. al. (hereafter Ernest) and U.S. Patent 6370544 by Krebs et. al. (hereafter Krebs).

Claim 2:

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As to claim 2, Riley is directed to a method of reporting data related to information technology services comprising the steps of:

“Categorizing incidents reported to a service desk” [paragraph 0113, categorizing service requests];

“Utilizing said mapped data to further categorize and resolve said incidents” [Riley, 0112, before and after categorization (further categorize). 0129, resolving the service request.];

“Generating reports based on data related to said categorized and/or resolved incidents” [Riley, paragraph 0172, service desk may generate reports.];

Riley does not explicitly (Riley, 0129, does disclose providing reports to senior management) disclose “integrating said reports into continuous improvement programs”. On the other hand, Ernst discloses in the abstract that usage data is prepared as reports and used in an IT workflow model to make decisions about such things as the timing of system upgrades, strategic architectural decisions, etc. In using these reports to make a decision, the reports are integrated.

Both Riley and Ernst are directed to systems attempting to reduce the cost of IT resources. It would have been obvious to one of ordinary skill in the art to have modified Riley to have included the step of “integrating said reports into continuous improvement programs” based on the disclosure of Ernst. One of ordinary skill at the time the invention was made would have been motivated to do so for the purpose of maximizing the overall value derived from investment in technology [Ernst, 0007].

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Riley discloses paragraph 0112, “categorized incidents” and Ernst discloses 0088, incorporating an intelligent agent into each component required to deliver the business services, data from each of the components can be linked back to the original business case developed for the service defined by the model permitting various investment type analysis to be made. Riley as modified with Ernst discloses “to map (link) data related to said categorized incidents (categorized incident) and financial information (investment type)”.

Riley and Ernst do not explicitly disclose “using a bridge”. On the other hand, Krebs, abstract is directed towards an enterprise management integration tool for providing a centralized repository for storage and processing of information related to the execution of the enterprise management functions. Further disclosing that the interface with this database can be formed by software bridges (uses a bridge) to specific management applications.

It would have obvious to one of ordinary skill in the art at the time the invention was made to have modified Riley and Ernst to have included the steps of “using a bridge” based on the disclosure of Krebs. One of ordinary skill in the art would have been motivated to do so in order to increase the robustness and fault resistance of the enterprise management system. Thereby, allowing for distribution of management information to organizations and personnel indirectly associated with the enterprise management system [abstract].

Claim 3:

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The method of reporting data of claim 2, wherein said reports provide information associated with the costs of fixing a problem related to at least a subset of said reported incidents [Ernst discloses on Figure 2, a valuation of the components of the system on a per service basis.

Paragraphs 0089-0090, The table in figure 2 determines a business value (cost) and identifies each transaction of each service in which the respective component participates.].

Conclusion

6. The prior art made of record listed on PTO-892 and not relied, if any, upon is considered pertinent to applicant's disclosure.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael D. Pham whose telephone number is (571)272-3924.

The examiner can normally be reached on Monday - Friday 9am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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